

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Prisons Services – Revision Petition filed by Sri M. Chalapathi Rao, Deputy Jailor, District Jail, Mahaboobnagar – against the punishment of postponement of two annual grade increments with cumulative effect with adverse impact on pension - Modification of Punishment - Orders – Issued.

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HOME (PRISONS. A) DEPARTMENT

**G.O. Ms. No.376**

Date: 22-08-2008

Read the following:-

1. From Sri M. Chalapathi Rao, Deputy Jailor, District Jail, Mahaboobnagar, Revision Petition, dated 17-03-2008.
2. From the DG&IGP&CS., AP., Hyderabad, Letter No. EA2/166/2008, dated 28-08-2008 and 12-12-2008.

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**ORDER :**

Sri M. Chalapathi Rao, Deputy Jailor, District Jail, Mahaboobnagar, in the reference 1<sup>st</sup> read above, has filed revision petition before the Government against the punishment of "postponement of two annual grade increments with cumulative effect with adverse impact on pension" imposed by the Deputy Inspector General of Prisons (CAR), Rajahmundry, vide Proceedings No. DIG/OS/43/276-279/2003, dated 16-01-2007. The punishment was confirmed by the Director General & Inspector General of Prisons & Correctional Services, A.P., Hyderabad, vide his proceedings No. EA2/273/2007, dated 17-09-2007.

**2.** Sri M. Chalapathi Rao, Deputy Jailor, while working as Superintendent, Sub-Jail, Bapatla, was proceeded with the disciplinary action under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991, for the following Articles of Charge issued by the DIG of Prisons (CAR), Rajahmundry, vide Memo No. DIG/OS/43/102-103, dated 05-01-2004.

- (i) That the said Sri M. Chalapathi Rao, Superintendent (Deputy Jailor), Sub-Jail, Bapatla, Guntur District, exhibited slack supervision, disobedience of the instructions and allowed bad practice in Sub-Jail, Bapatla, detrimental to the security/interest of the Institution, causing unauthorized communication between prisoners and outsiders, and introduction into Jail a prohibited article, thus violated Rule-96 (2) and (3) of A.P. Prison Rules, 1979.

**PTO**

- (ii) That the said Sri M. Chalapathi Rao, Superintendent (Deputy Jailor), exhibited gross negligence and serious dereliction towards his duty and indulged in conduct, which is unbecoming of a Government employee and derogatory to the prestige of the Government, thus violated sub-rule (2) of Rule-3 of the A.P. Civil Services (Conduct) Rules, 1964.

**3.** The DIG of Prisons (CAR), Rajahmundry, has appointed Sri P.G.V. Prasada Rao, Superintendent, District Jail, Vijayawada, as Enquiry Officer to conduct enquiry into above articles of charges. The Enquiry Officer has conducted the enquiry and submitted his report vide Letter No. DJV/Supdt/5064, dated 15-11-2004, holding the Charge No. I as proved and Charge No. II as not proved.

**4.** The DIG of Prisons (CAR), Rajahmundry, after following the due procedure laid down in Andhra Pradesh Civil Services (CC&A) Rules, 1991, has awarded the punishment of "postponement of two annual increments with cumulative effect with adverse impact on pension" to the delinquent officer vide proceedings No. DIG/OS/43/276-279/2003, dated 16-01-2007. The appeal petition of the individual filed before the Director General & Inspector General of Prisons & Correctional Services, A.P., Hyderabad, was rejected vide proceedings No. EA2/273/2007, dated 17-09-2007. Aggrieved by the orders issued by the Director General & Inspector General of Prisons & Correctional Services, A.P., Hyderabad, the incumbent has filed revision petition before the Government on 17-03-2008 and requested to set aside the order of punishment on the grounds adduced therein.

**5.** Government, after careful examination of the revision petition filed by Sri M. Chalapathi Rao, Deputy Jailor, and on perusal of records made available has observed that out of two articles of charge, only one was held proved. The appellant states that he was away from the Jail when the incident took place. Keeping aside this argument, even if he is available in Jail, he may not be held responsible for the lapse on the part of the staff guarding the prisoners as they had to ensure that no contraband article is received by the prisoners under their custody. Furthermore, the prisoners were taken out of Jail to extract PCR work. Hence, it has been decided to modify the punishment imposed on the individual.

**6.** Accordingly, the Government hereby modify the punishment of "postponement of two annual increments with cumulative effect with adverse impact on pension" imposed against Sri M. Chalapathi Rao, Deputy Jailor, District Jail, Mahaboobnagar, to that of "stoppage of two annual grade increments without cumulative effect."

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7. The DG&IGP&CS., AP., Hyderabad, shall take necessary action in the matter accordingly.

8. The original records received from the Director General & Inspector General of Prisons & Correctional Services, A.P., Hyderabad, vide reference 2<sup>nd</sup> read above, containing (344 + 118 + 44 + 42 + 98 + 102 + 50 + 50 + 212 + 68) pages are herewith returned. He is requested to acknowledge the receipt of the same.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY MISRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General & Inspector General of Prisons,  
& Correctional Services Andhra Pradesh,  
Hyderabad.  
(with original records)

The individual **through** the DG&IGP&CS.,  
A.P., Hyderabad.

The Deputy Inspector General of Prisons (CAR),  
Rajahmundry, East Godavari District.

The Superintendent of Jail, District Jail, Mahaboobnagar.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER